

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Yu Peng Lu, individually and on
behalf of all other employees similarly situated,

Plaintiffs,
-against-

NISEN SUSHI OF COMMACK, LLC d/b/a
Nisen Sushi, TOM LAM, and ROBERT BEER,

Defendants.
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Case No.: 1:18-cv-07177

**NOTICE OF MOTION
PURSUANT TO RULE 60 (B)(4)
RULE 60 (B)(3) & RULE 55 (C)**

PLEASE TAKE NOTICE, that upon the annexed Affidavit in Support of Motion of Plaintiff, TOM LAM, sworn to the 29th day of November, 2020, the annexed Declaration in Support of Motion of CHRISTOPHER J. CASSAR, ESQ., declared on the 2nd day of December, 2020, the Defendant's Memorandum of Law in Support herein, and upon all prior pleadings and proceedings, the undersigned will move this Court, before the HONORABLE RAYMOND J. DEARIE, at the United States Federal Courthouse, located at 100 Federal Plaza, Central Islip, New York for and Order pursuant to Fed.R.Civ.P. Rule 60 (B)(4), Fed.R.Civ.P. Rule 60 (B)(3), Fed.R.Civ.P. Rule 55 (C), at a time determined by this Court for the following designated Order:

- I. GRANTING THE DEFENDANTS' MOTION TO SET ASIDE THE ENTRY OF DEFAULT;**
- II. GRANTING THE DEFENDANTS' MOTION TO VACATE THE DEFAULT JUDGMENT; and**
- III. GRANTING SUCH OTHER AND FURTHER RELIEF AS IS JUST AND PROPER.**

Dated: Huntington, New York
December 2, 2020

Yours, etc.,
THE CASSAR LAW FIRM, P.C.

Attorneys for the Defendants
NISEN SUSHI OF COMMACK, LLC d/b/a
Nisen Sushi, and TOM LAM
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By:

/s/
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